

APPENDIX C
LEGAL CERTIFICATION

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ATTORNEY STATEMENT
FOR FINAL AUTHORIZATION FOR
COAL COMBUSTION RESIDUALS PERMIT PROGRAM

I hereby certify, pursuant to my authority as General Counsel and Independent Legal Counsel for the Oklahoma Department of Environmental Quality (“ODEQ”), and in accordance with Section 4005(d)(1) of the Solid Waste Disposal Act (“SWDA”) (42 U.S.C. § 6901 *et seq.*), that in my opinion the laws and regulations of the State of Oklahoma provide adequate authority to carry out the Coal Combustion Residuals (“CCR”) Permit Program as set forth in the Narrative Description submitted herewith by ODEQ.

I have reviewed ODEQ’s application and supporting documentation to EPA for approval of Oklahoma’s Coal Combustion Residuals Permit Program application and hereby certify:

1. That ODEQ has sufficient legal authority provided by Oklahoma’s lawfully enacted statutes and regulations to implement the CCR permit program;
2. That such statutes and regulations are in full force and effect on the date of this certification, except with respect to certain revisions to the existing state CCR regulations at Oklahoma Administrative Code (“OAC”) 252:517, Subchapters 9 and 15, which will become effective September 15, 2017; and
3. That DEQ has sufficient statutory and regulatory authority to enforce its CCR regulations and permitting program.

Copies of all statutes and regulations relevant to this application are included with the CCR Permit Program application in order to assist EPA’s review.

Date:

July 27, 2017


Martha Penisten
General Counsel, ODEQ